



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/784,003

02/20/2004

David A. Matthews

MS1-2015US

4376

22801 7590 03/17/2009

LEE & HAYES, PLLC
601 W. RIVERSIDE AVENUE
SUITE 1400
SPOKANE, WA 99201

EXAMINER

BELOUSOV, ANDREY

ART UNIT

PAPER NUMBER

2174

MAIL DATE

DELIVERY MODE

03/17/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/784,003	Applicant(s) MATTHEWS ET AL.	
	Examiner ANDREY BELOUSOV	Art Unit 2174	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 March 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6,8-23,25-32 and 34-38 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6,8-23,25-32 and 34-38 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--------------------------------------------------------------------------------------|-------------------------------------------------------------------|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is in response to the filing of 3/10/2009. Claims 1-6, 8-23, 25-32 and 34-38 are pending and have been considered below.

Claim Objections

2. Claims dependent on claim 1 are objected to because of the following informalities: the preamble of claims dependent on claim 1 is directed to "a user interface", the Examiner believes the Applicant meant to direct preamble to "*the* user interface start page." Appropriate correction is required.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 1, 2, 8-10, 16-19, 25-28 and 34-38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rathbone (Andy Rathbone, Windows XP for Dummies®, Wiley Publishing, Inc) in view of Ricart (The Complete Idiot's Guide® to Linux, Second Edition) and in further view of Enin (Batch Launcher 1.0 Feb 10, 2003 release.)

Claim 1, 8, 16, 25, 34, 37: Rathbone discloses a user interface start page (pg. 62, initial desktop page + windows bar, etc.) displayed on a display device of a computing

Art Unit: 2174

device, the user interface start page configured to be displayed: (1) after a user has selected one of multiple selectable logon controls (pg. 63, e.g. Andy Rathbone logon) on a user interface logon page, each of the multiple selectable logon controls corresponding to a respective user of the computing device (pg. 63; transitioning),

However, Rathbone does not explicitly disclose the user interface start page comprising:

- a. the user interface start page configured to be displayed (2) before display of a desktop page corresponding to selections made by the user on the user interface start page,
- b. a desktop selection control configured to allow selection of one of a plurality of desktop environment associated with the user corresponding to the selected selectable logon control from the user interface logon page, each of the plurality of desktop environment corresponding to a different user persona of the user corresponding to the selected selectable logon control, wherein the plurality of desktop environments comprises a work environment, a home environment, a weekend activities environment and a weekday activities environment; and
- c. a selectable control configured to allow a user to select one group of multiple groups of application programs in response to a single user input, wherein the multiple application programs from the selected group start together in response to the single user input and further wherein the group of multiple application programs include at least one of

Art Unit: 2174

- a. (i) a group of multiple application programs executing when a previous computing session was discontinued,
 - b. (ii) a group of multiple application programs often selected for use,
 - c. (iii) a group of multiple application programs recently for use, and
 - d. (iv) a group of multiple application programs most used by the user; and
- d. selectable configurations each configured for a user selection to designate a multiple application start-up configuration, wherein the selectable configurations include at least one of
- a. (i) a configuration to designate a group of applications executing when a previous computing session was discontinued,
 - b. (ii) a configuration to designate a group of applications often selected for use,
 - c. (iii) a configuration to designate a group of applications recently selected for use and
 - d. (iv) a configuration to designate a group of applications most used by the user.

Ricart discloses a well-known operating system including a particularly signature concept of multiple desktop selection, including:

- a. the user interface start page configured to be displayed (2) before display of a desktop page (page 67, any one of the four other desktops) corresponding to selections made by the user on the user interface start page,

Art Unit: 2174

- b. a desktop selection control configured to allow selection of one of a plurality of desktop environment associated with the user corresponding to the selected selectable logon control from the user interface logon page (“virtual desktop buttons,” page 67), each of the plurality of desktop environment corresponding to a different user persona of the user corresponding to the selected selectable logon control, wherein the plurality of desktop environments comprises a work environment, a home environment, a weekend activities environment and a weekday activities environment (the Examiner notes that the virtual desktop buttons can be renamed any way the user wants, including "work", "home," "weekend," or "weekday" so as to correspond to a 'persona'; page 71);

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to include a desktop selection controls as disclosed by Ricart, in the operating system of Rathbone as one would have been motivated to include the best features from other prevailing operating system user interfaces to an improvement an operating system user interface.

Enin discloses a Batch Launcher application for use on an operating (such as Windows XP OS disclosed by Rathbone), including:

- b. a selectable control (Figure 1, left pane which includes “Batch launcher project”, “Changes Saver project”, etc.) configured to allow a user to select one group (Figure 1, any one batch from the list in left pane: “Batch launcher project”, “Changes Saver project”, etc.) of multiple groups of application programs in response to a single user input, wherein the multiple application programs from

Art Unit: 2174

the selected group start together in response to the single user input (page 1, “by one click”) and further wherein the group of multiple application programs include at least one of

- a. (i) a group of multiple application programs executing when a previous computing session was discontinued,
 - b. (ii) a group of multiple application programs often selected for use,
 - c. (iii) a group of multiple application programs recently for use, and
 - d. (iv) a group of multiple application programs most used by the user (it is inherent, given the nature and purpose of the teaching of Enin, that the batches would be made up of at least one configuration consisting of often, recently or most used applications); and
- c. selectable configurations (shortcuts; page 2) each configured (user formed; page 1) for a user selection to designate (drag and dropping; page 1) a multiple application start-up configuration (“Batch launcher allows launching the dialogue window for selecting a required batch at Windows start”; page 1,) wherein the selectable configurations include at least one of (i) a configuration to designate a group of applications executing when a previous computing session was discontinued, (ii) a configuration to designate a group of applications often selected for use, (iii) a configuration to designate a group of applications recently selected for use and (iv) a configuration to designate a group of applications most used by the user (it is inherent, given the nature and purpose of the

teaching of Enin, that the batches would be made up of at least one configuration consisting of often, recently or most used applications.)

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to include controls for multiple application initiation as taught by Enin within an operating system of Rathbone. One would have been motivated to include the teaching of Enin in Rathbone as it was well within known options given that Enin was running on the OS disclosed by Rathbone.

Claim 2, 9, 17, 26: Rathbone, Ricart and Enin and disclose a user interface as recited in claim 1. Enin further discloses wherein the selectable control is user-configurable to designate a multiple application start-up configuration (page 1.)

Claim 10, 19, 28: Rathbone, Ricart and Enin disclose a user interface as recited in claim 8. Enin further discloses wherein the multiple application programs are a user-defined (by drag and dropping the shortcuts; page 1) group of application programs (set of applications; page 1), and wherein the user interface selectable control is further configured to start (launch; page 1) the user-defined group of applications together (by one click; page 1.)

Claim 17, 26: Rathbone, Ricart and Enin disclose a method and one or more computer readable media as recited in claim 16 and 25, respectively. Enin further discloses

Art Unit: 2174

comprising receiving a user selection to designate a multiple application start-up configuration (selecting a required batch at Windows® startup; page 1.)

Claim 18, 27: Rathbone, Ricart and Enin disclose a method and one or more computer readable storage media as recited in claim 16 and 25, respectively. Enin further discloses comprising receiving a user selection (drag and dropping shortcuts; page 1) to configure the user interface selectable control which is user-configurable to designate a multiple application program start-up configuration.

Claim 19, 28: Rathbone, Ricart and Enin disclose a method and one or more computer readable storage media as recited in claim 16 and 25, respectively. Enin further discloses wherein receiving the user selection initiates (forms; page 1) a user-defined group of applications (batch; page1,) and wherein starting (launch; page 1) the multiple applications includes starting the user-defined group of applications together and in response to a single user input (by one click; page1.)

Claim 35, 38: Rathbone, Ricart and Enin disclose a method and one or more computer readable media as recited in claim 34 and 37, respectively. Enin further discloses comprising delaying the start (launch; page 1) of the selected application programs (batch; page 1) until receiving the user input to initiate (drag and dropping; page 1) starting the selected application programs (formation of batches is performed before (delayed) launching (starting) the set of selected application programs (batch; page 1.)

Claim 36: Rathbone, Ricart and Enin disclose a method as recited in claim 34. Enin further discloses wherein receiving the user input to initiate starting the selected application programs includes receiving a user selection that does not correspond to a user-selectable control (use of shortcuts of the batches on the desktop; page 2.)

5. Claims 3-6, 11-15, 20-23 and 29-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rathbone in view of Ricart, in further view of Enin, and in further view of Langer (Mac OS X 10.1, Visual Quickstart Guide, Peachpit Press, Copyright (c) 2002.)

Claim 3, 11, 20, 29: Rathbone, Ricart and Enin disclose a user interface as recited in claim 1, wherein the multiple applications are a group of applications, and wherein the selectable control is further configured to initiate that the group of applications start (launch; page 1) together (by one click; page 1.) However, Rathbone, Ricart and Enin do not explicitly disclose wherein the multiple applications are a group of applications executing when a previous computing session was discontinued. Langer discloses an operating system comprising a means to start back up a group of applications from before the computer was put to sleep (page 58.) Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to include a group of applications executing when a previous computing session was discontinued, as taught by Langer, into the Operating System of Rathbone, modified with Ricart and

Art Unit: 2174

Enin. One would have been motivated to include previous session applications in order to allow continuation of potentially interrupted task from the previous session.

Claim 4, 12, 21, 30: Rathbone, Ricart and Enin disclose a user interface as recited in claim 1, wherein the multiple applications are a group of applications, and wherein the selectable control is further configured to initiate that the group of applications start (launch; page 1) together (by one click; page 1.) However, Rathbone, Ricart and Enin do not explicitly disclose wherein the multiple applications are a group of applications often selected for use by the user. Langer discloses an operating system comprising a means to initiate applications often selected for use by the user (page 104.) Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to include a group of applications often selected for use by the user, as taught by Langer, into the Operating System of Rathbone, modified with Ricart and Enin. One would have been motivated to include often selected for use by the user applications in order to provide a quick launch of programs that will be most likely needed by the user and in such a fashion meet the anticipation of the user.

Claim 5, 13, 22, 31: Rathbone, Ricart and Enin disclose a user interface as recited in claim 1, wherein the multiple applications are a group of applications, and wherein the selectable control is further configured to initiate that the group of applications start (launch; page 1) together (by one click; page 1.) However, Rathbone, Ricart and Enin do not explicitly disclose wherein the multiple applications are a group of applications

Art Unit: 2174

recently selected for use by the user. Langer discloses an operating system comprising a means to initiate applications recently selected for use by the user (page 106.)

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to include a group of applications recently selected for use by the user, as taught by Langer, into the Operating System of Rathbone, modified with Ricart and Enin. One would have been motivated to include recently used by the user applications in order to provide a quick launch of programs that will be most likely needed by the user and in such a fashion meet the anticipation of the user.

Claim 6, 14, 23, 32: Rathbone, Ricart and Enin disclose a user interface as recited in claim 1, wherein the multiple applications are a group of applications, and wherein the selectable control is further configured to initiate that the group of applications start (launch; page 1) together (by one click; page 1.) However, Rathbone, Ricart and Enin do not explicitly disclose wherein the multiple applications are a group of applications most used by the user. Langer discloses an operating system comprising a means to initiate applications most used by the user (page 104.) Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to include a group of applications most used by the user, as taught by Langer, into the Operating System of Rathbone, modified with Ricart and Enin. One would have been motivated to include most used by the user applications in order to provide a quick launch of programs that will be most likely needed by the user and in such a fashion meet the anticipation of the user.

Response to Arguments

Applicant's arguments with respect to claim 1-6, 8-23, 25-32 and 34-38 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andrew Belousov whose telephone number is (571) 270-1695. The examiner can normally be reached on Mon-Fri (alternate Fri off) EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Hong can be reached on (571) 272-4124. The fax phone number for the organization where this application or proceeding is assigned is 571-273-3800.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Steven P Sax/
Primary Examiner, Art Unit 2174

AB
March 15, 2009

Application/Control Number: 10/784,003
Art Unit: 2174

Page 13